

MACOMB TOWNSHIP ZONING BOARD OF APPEALS  
MINUTES OF A SPECIAL MEETING HELD ON  
JANUARY 30, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD, MACOMB, MI 48042

PRESENT: CHAIRMAN, BRIAN FLORENCE  
MEMBERS: EDWARD GALLAGHER  
VICTORIA SELVA  
DAWN SLOSSON

ABSENT: NUNZIO PROVENZANO

ALSO PRESENT: JEROME R. SCHMEISER, PLANNING CONSULTANT  
(Additional attendance record on file with Clerk)

Call Meeting to Order.

Chairman FLORENCE called the meeting to order at 7:03 P.M.

1. Roll Call.

Secretary SLOSSON called the Roll Call. Member PROVENZANO absent.

2. PLEDGE OF ALLEGIANCE.

3. Approval of Agenda Items. *(with any corrections)*  
*Note: All fees have been received and all property owners were notified by mail*

**MOTION by GALLAGHER seconded by SLOSSON to approve the agenda as presented.**

**MOTION carried.**

4. Approval of the previous meeting minutes:

**MOTION by SLOSSON seconded by SELVA to approve the meeting minutes of January 9, 2007 as presented.**

**MOTION carried.**

PURPOSE OF HEARING:

To consider the requests for variance(s) of Zoning Ordinance No. 10 for the following:

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Agenda Number/Petitioner/ Permanent Parcel No.	Zoning Ordinance Section No.
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(5) John Skolas Permanent Parcel 08-33-400-045	Section 10.1605(G)
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5. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;  
Permission to vary Section 10.1605(G)-Request to eliminate the wall and greenbelt along the east property line.  
Located on North side of Hall Road, approx. 1/4 mile west of Heydenreich Road; Section 33; John Skolas, Petitioner. Permanent Parcel No. 08-33-400-045.

Chairman FLORENCE read the findings and recommendations of January 25, 2007. They are as follows:

The petitioner is requesting that the 6' high wall and 40' greenbelt required as part of the development along the east property line be eliminated. The zoning ordinance requires that a wall and greenbelt be constructed where a proposed development abuts property zoned or utilized for single family purposes.

The property to the east, although zoned R-1 (residential), is vacant and master planned as commercial. If zoned commercial, the wall and greenbelt would not be required. The Township records do not indicate plans for the owner to construct a residence.

On June 18, 2002, the Planning Commission approved a site plan for the Garwoods Square Development which indicated a wall along its west property line which is also the east property line of the property adjacent to the petitioner's property.

A communication attached as part of the variance application from the adjacent property owner indicates no objection to eliminating the required wall or greenbelt.

**RECOMMENDATION:**

It is recommended that the variance request be approved. The reasoning for such a recommendation is based upon the perceived value of vacant property fronting on Hall Road. In the event that the owner of the property to the east chooses to erect a residence on the property, the owner would be entitled to protection via wall and/or greenbelt.

It is therefore further recommended that the Board take action to condition that in the event a residence is constructed on the property to the east, that the petitioner would be responsible for constructing a screen wall.

Dino Skolas and John Skolas, petitioners, were in attendance and stated that they were in agreement with the stipulation that should the property to the east be built as residential

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that they would construct a 6 foot masonry wall.

Public Portion:

Gary DePoorter, 45584 Seaford, asked which parcel was being considered and what would be built on the property.

Jerome R. Schmeiser, Planning Consultant, stated that it was one parcel removed from the Garwood's parcel. In addition there would be commercial center built upon the property.

**MOTION by SLOSSON seconded by GALLAGHER to close the public portion.**

**MOTION carried.**

**The following resolution was offered by SELVA and seconded by SLOSSON:**

**Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;**

**Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.1605(G)-Request to eliminate the wall and greenbelt along the east property line; Located on North side of Hall Road, approx. 1/4 mile west of Heydenreich Road; Section 33; John Skolas, Petitioner. Permanent Parcel No. 08-33-400-045. The variance was granted since there was a communication letter on file from the adjacent property owner indicating no objection to eliminating the required wall or greenbelt and further conditioned that in the event a residence is constructed on the property to the east, that the petitioner would be responsible for constructing a screen wall.**

**MOTION carried.**

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

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8. PLANNING CONSULTANTS COMMENTS

None.

9. MOTION TO RECEIVE AND FILE ALL CORRESPONDENCE IN  
CONNECTION WITH THIS AGENDA

**MOTION by GALLAGHER seconded by SLOSSON to receive and file all  
correspondence.**

**MOTION carried.**

ADJOURNMENT

**MOTION by SLOSSON seconded by SELVA to adjourn the meeting at 7:16 P.M.**

**MOTION carried.**

Respectfully submitted,

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Brian Florence, Chairman

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Dawn Slosson, Secretary

Beckie Kavanagh, Recording Secretary

BK